

**United States District Court**  
for  
**Middle District of Tennessee**

**Report on Offender Under Supervision**

Name of Offender: Randall Howard Malone

Case Number: 3:10-00031

Name of Sentencing Judicial Officer: Honorable Aleta A. Trauger, U.S. District Judge

Date of Original Sentence: July 22, 2010

Original Offense: 18 U.S.C. § 2113(a) Bank Robbery

Original Sentence: 46 months' custody followed by 3 years' supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: May 30, 2012

Assistant U.S. Attorney: Philip H. Wehby

Defense Attorney: Dumaka Shabazz

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**THE COURT ORDERS:**



- No Action  
 The Issuance of a Warrant  
     Sealed Pending Warrant Execution  
        (cc: U.S. Probation and U.S. Marshal only)  
 The Issuance of a Summons  
 Other

Considered this 5 day of Dec., 2013,  
and made a part of the records in the above case.

Aleta A. Trauger  
Aleta A. Trauger  
U.S. District Judge

I declare under penalty of perjury  
that the foregoing is true and correct.  
Respectfully submitted,



Kara Sanders  
U.S. Probation Officer

Place Nashville, Tennessee

Date December 4, 2013

## ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No.    Nature of Noncompliance

1.    **The defendant shall refrain from any unlawful use of a controlled substance.**

On November 15, 2013, Mr. Malone tested positive for cocaine. This is his third positive drug test for cocaine since starting this term of supervised release. He admitted using cocaine on or about November 13, 2013. Mr. Malone reported this use on his own, without prompting. In addition, he reached out to Park Center Mental Health for additional services to address his drug addiction. Mr. Malone entered Intensive Outpatient Treatment with Park Center Mental Health on December 2, 2013. He will attend treatment three times per week in addition to continuing all other services provided by Park Center Mental Health.

**Compliance with Supervision Conditions and Prior Interventions:**

Mr. Malone began his current term of supervised release on May 30, 2012. He was previously on supervised release from April 2005 until June 2007, for a Bank Robbery in May 2000. That period of supervised release was revoked in June 2007, for drug use and failure to comply with release conditions.

As a condition of his current term of supervised release he was to reside in a halfway house for the first six months. Mr. Malone resided at Diersen Charities from May 2012 to September 2012. An agreed order was submitted in September 2012, to allow him to move into his own apartment. Mr. Malone has resided alone since September 2012.

In April 2013, a report was submitted to the Court regarding a positive drug test for cocaine and Mr. Malone's admitted use. The Court agreed with no action and allowed Mr. Malone to continue on supervision.

In June 2013, a report was submitted to the Court regarding failure to report for a drug test and a positive drug test for cocaine. Mr. Malone admitted his continued cocaine use and voluntarily enrolled in a 28-day inpatient treatment program at the Elam Center. Mr. Malone completed this program on July 29, 2013. He was referred back to Centerstone Mental Health to continue outpatient mental health and substance abuse treatment and to continue with services provided by Park Center Mental Health.

Mr. Malone has been diagnosed with Bipolar Disorder, Polysubstance Dependence and Antisocial Personality Disorder. He attended weekly therapy sessions with Centerstone Mental Health until January 2013, when his treatment was reduced to twice per month, due to his compliance and stability. In April 2013, he began attending Centerstone weekly to address his drug use. In August 2013, he returned to weekly treatment with Centerstone Mental Health, as recommended by the Elam Center. He has remained connected to Park Center Mental Health for

additional services. His social security disability benefits were reinstated in September 2012, and he has TennCare insurance, which covers the cost of his mental health treatment and medications.

Mr. Malone has made some effort to pay his restitution, and has paid a total of \$200. His last restitution payment was June 2013. He has been instructed to make restitution payments monthly. His current balance is \$1,000.

**U.S. Probation Officer Recommendation:**

Mr. Malone has relapsed into drug use, but has a plan to return to compliance. It is respectfully recommended that no action be taken at this time and he be allowed to continue on supervision and take advantage of substance abuse and mental health treatment. However, these violations may be considered in the future, if necessary. Any future violations will be promptly reported to the Court.

The U.S. Attorney's Office concurs with the probation officer's recommendation.

Approved:

  
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Britton Shelton  
Supervisory U.S. Probation Officer